

Aaron Guckian  
Chairman  
  
Janine L. Burke  
Executive Director



Scott Avedisian  
Mayor

**Warwick Sewer Authority**  
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## **BOARD MEETING MINUTES**

**Wednesday, March 26, 2014, 5:30 p.m.**  
**Warwick Sewer Authority Conference Room**  
**125 Arthur W. Devine Boulevard**  
**Warwick, RI 02886**

<b>Board Members present:</b>	<b>Guests:</b>
Aaron Guckian, Chairman	Dave Bebyn, B & E Consulting, LLC
Peter Ginaitt	Dennis Setzko, P.E., AECOM
Steve Sylven, P.E.	Erik Meserve, P. E., AECOM
Gary P. Marino	Melissa Foley
	John Pagliarini, Jr., Esq.
<b>Board member not present:</b>	
Gary Jarvis	
<b>Staff present:</b>	
Janine L. Burke, Executive Director	John Revens, Revens, Revens & St. Pierre
Patrick Doyle, Superintendent	Scott Goodinson, Asst. Superintendent
Lynn F. Owens, Administrative Coordinator	Lynda Ortiz, Finance/Customer Serv. Mngr.

- 1. Call to Order:** At 5:34 p.m. Chairman Guckian called this meeting to order.
- 2. Pledge of Allegiance:** All those in attendance rose to salute the American flag and recited the Pledge of Allegiance.
- 3. Approval of Minutes**
  - a. Approval of minutes from the regular meeting held February 27, 2014.  
  
ACTION: Mr. Ginaitt moved approval of the minutes as submitted. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.
- 4. Billing Services**
  - a. Dave Bebyn, B & E Consulting, LLC: Recommendations to revise and update existing sewer rate schedule and fee structure.

ACTION: Mr. Bebyn reviewed with the Board his submittal of schedules to assist the WSA in evaluating the fourth year of the FY2012 through FY2016 rate plan based on the May 2011 Sewer Rate Study. This review also assisted the WSA in preparing its FY2015 budget. The review encompassed evaluating year to date consumption data as well as expenditures, debt service, and the cash flow of the sewer assessment fund. Mr. Bebyn's submittal is included in the Board meeting permanent record.

Board members discussed the continued funding of the renewal and replacement fund, and the creation of debt service and hardship accounts once the WSA has repaid its debt to the City.

Mr. Bebyn's report recommends a modification to the five year plan to freeze the residential rates for FY 2015 and impose a 4% across the board increase for both residential and commercial rates for FY2016. He stated this review was based on WSA adding 200 new customers per year (conservative estimate). Mr. Bebyn discussed the option of adding a connect capable fee to WSA rates.

Director Burke summarized Mr. Bebyn's report:

- With the uncertainty of creating a connect capable fee, the review recommends the rate schedule be adjusted for FY 2015 to freeze the residential rate.
- The review recommends an across-the-board increase of 4% from the original rate schedule for FY 2016.

Director Burke stated this recommendation would require a public hearing since it's a change from the approved rates set in 2011. The public hearing could be held at the start of the April Board meeting and would be combined with a review of the proposed FY 2015 budget.

Mr. Sylven asked Mr. Bebyn if there was any reason why he didn't recommend a 2% increase in FY 2015 and a 2% increase in FY 2016, to soften the blow. Mr. Bebyn stated the Board could do that and that he will update his schedules to reflect that proposed change.

The Board thanked Mr. Bebyn for his work. Director Burke stated the plan is working; this is the first time since the rate schedule was enacted that we've had to make an adjustment.

**b. FY2015 Budget Workshop**

Director Burke reviewed the proposed FY2015 budget with the Board. A public hearing will be scheduled for presentation of the proposed FY2015 budget and proposed amendments to the user rates for FY2015 and FY2016. Board members discussed the overtime budget, easement maintenance, the organizational chart, the proposed new clerk's position,

the GIS program, fringe benefits, postage and mailings, chemicals, maintenance materials, tax sale, engineering services, capital projects, among other budget items. Chairman Guckian asked for a formal update/presentation on progress being made with the GIS program. Director Burke said she will have a Capital Improvement Program breakdown of projects for the Board's review prior to the public hearing.

**c. Sewer Assessment Abatement**

Melissa, Foley, 2922 Post Road (Plat 267 Lot 0220) requesting an abatement of the balance of the sewer assessment on this parcel.

ACTION: Tabled from 12-19-13, 1-23-14 and 2-27-14 meetings.

Melissa Foley and John Pagliarini in attendance. Director Burke stated that since the last meeting she has reviewed the plat map and the assessment account. She suggested that because the lot is one acre and has been assessed using the acreage formula, the Board can consider the standard acreage formula assessment (150 feet) and abate the balance. She stated if the lot is ever subdivided, any new lots created would be subject to assessment. Director Burke stated the payments made to date satisfy the 150 foot assessment charges. She stated the abatement order was prepared following the property owner's appeal and WSA legal counsel's review of the facts.

The recommended language in the revised abatement order states:  
"Abate the remaining sewer assessment or obligation on Plat 267 Lot 220 with the understanding that if the property is developed in the future, it will be assessed at the assessment method/rate that is in effect at the time of development. The three payments in the amount of \$350.00 made by Ms. Foley will be refunded. This form shall be recorded by property owner in land evidence records prior to the abatement taking effect."

Mr. Ginaitt expressed his concern about setting precedent. Attorney Revens stated in terms of the precedential issue that was raised at the prior meetings, it does not set any, because what you are considering tonight isn't based on that. He stated the only thing you're doing here that is inconsistent with past practice is, you are abating the balance rather than deferring it (this assessment is thirty years old). He stated this seems to be a reasonable recommendation.

Mr. Ginaitt moved approval of the abatement as listed in the revised abatement order. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

**d. Sewer Assessment Abatement**

<b>Name</b>	<b>Service Address</b>	<b>Reason</b>	<b>Amount</b>
One Ninety Six 199 Bethel St LLC c/o Mukesh Tandon	Plat 330 Lot 0196 v/l Church Avenue	Lot size 11.76 acres, assessed in 2006 using acreage formula. Survey and biologist's report confirm that less than one acre of parcel is not wetlands. Re-assess on square footage.	\$133,267.30

ACTION: Tabled from January 23, 2014 meeting. Property owner asks that this be considered at the April 2014 meeting.

**5. AWT-Phosphorus & Flood Control Project, Contract No. 91**

- a. Dennis Setzko, P.E. and Erik Meserve, P.E. in attendance for AECOM, and reviewed the submitted progress report and updated combined schedule:

**Consent Decree & Funding**

- Received Certificate of Approval from RIDEM.
- Incorporated RIDEM requirements related to Debarment and Suspension and Buy American provisions into the Contract Documents via addendum.

**Construction Progress**

- Prepared and distributed Addendum 1 and Addendum 2. Topics addressed include technical questions received from bidders, SRF Buy American requirements, DEM Wetland comments, and DOT comments.
- Prepared for and attended bid opening. Three bids were received. Hart Engineering is the apparent low bidder with a total project cost of \$14,479,000. Carlin Contracting (\$16,316,840) and Daniel O'Connell & Sons (\$16,892,000) also submitted bids. Bids are currently under review.

**Permitting**

- Drafted itemized responses to RIDOT and RIDEM. Comments requiring changes to the Contract Documents were incorporated in Addendum 2.
- Initiated easement process with RIDOT.

- b. Award of Contract 91: Advanced Wastewater Treatment Facility Phosphorus Removal Upgrade Flood Control and Mitigation Bid opening scheduled for March 21, 2014, 10:00 a.m.

ACTION: A meeting will be scheduled to consider an award of bid for Contract 91. Item tabled.

## **6. Flood Protection and Mitigation**

### **a. Bellows Street Pumping Station**

- i. Crossman Engineering (no representative present) submitted a monthly progress report:
  - The pump station has been successfully operating for the past two months. There are no issues with the pumping operation.
  - WSA has removed components in the old pump chamber that are to be kept and stored.
  - This week Lynch has been back on site to clean and fill the old pump chamber and wet well. Lynch also completed miscellaneous items below grade (plug and cap force main remaining in place, and closure of dewatering wells).
  - Lynch is scheduled to complete the remaining site work items in the next few weeks, these items include grading the site, installing the gravel borrow subbase and pavement, installing the permanent stairs and site fence, installation of landscape plantings and restoring the ETCO parking lot.
  - Prior to restoring the ETCO parking lot a meeting with the owners will take place for coordination.
  - Within the next month the site should be completed and a final punch list review can be conducted.

## **7. Operations and Maintenance Division**

- a. Purchase Authorization: Multiple components for Lakeshore South pump station rehabilitation  
Air Energy, Inc.: \$16,300.00  
Russell Resources: \$22,991.00

ACTION: Director Burke stated this is part of our capital improvement budget. Superintendent Doyle stated these are 28-year old compressors that we are replacing. He stated it is time to rebuild this station.

Mr. Sylven stated he had asked for backup documentation for the compressors, which the superintendent has provided. Mr. Sylven would like all quotations to include shipping charges.

Mr. Sylven asked for a quote from Russell Resources. Superintendent Doyle will provide the Board with the quotation for this equipment (oversight that quotation was not included with agenda packets; sent to Board on 4/2/2014). WSA personnel will install the equipment.

Mr. Ginaitt moved approval. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

- b. Purchase Authorization: Wire and materials to re-wire biological nutrient removal process equipment**  
Vendor price not to exceed \$15,390.00

ACTION: Superintendent Doyle showed the Board members a segment of wiring that needs to be replaced. He stated staff suspects that the wiring was compromised during the difficult installation process. He stated WSA is proposing to install the wiring using a better method to prevent compromising the wiring. Superintendent Doyle stated WSA personnel will do the work with the assistance of Kent County Electrical Service.

This recommendation is for a not-to-exceed price of \$15,390.00.

Mr. Ginaitt moved approval of the purchase at a not-to-exceed price of \$15,390.00. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

(Within a day of the meeting, a second vendor quotation was received from Granite City Electric, valued at \$11,191.28, and distributed to the Board; WSA estimates \$1,000.00 for shipping. The first vendor quotation from Electrical Wholesalers for \$15,390.00 was dismissed. A purchase order was generated for Granite City Electric.)

- c. Purchase Authorization: Repair of internal recycle pump (fifth unit)**  
Delta Electro Power, Inc.: \$8,841.76

ACTION: Assistant Superintendent Goodinson reviewed the facts related to this purchase request. He stated the issues at the Lakeside unit (which are causing the problems with the internal recycle pumps) are being addressed; the unit will be replaced next year through Contract 91.

Mr. Ginaitt moved approval. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

- d. Purchase of rooftop HVAC unit for Operations building**  
Climate Masters HVAC Contractors: \$10,700.00

ACTION: Assistant Superintendent Goodinson reviewed with the Board the recommendation memo prepared for the replacement of the rooftop HVAC unit for the Operations building. Mr. Ginaitt asked about WSA's ongoing inspection and preventative maintenance efforts for facility

equipment. Superintendent Doyle stated WSA conducts routine maintenance on equipment in the spring and fall.

Mr. Ginaitt moved approval. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

- e. Bid #2014-260 2015 Chevy Silverado 3500HD 4WD Dual Wheel Pick-Up Truck with Fisher 9' Hydraulic Snowplow  
Hurd Auto Mall: \$65,305.00

ACTION: Director Burke stated the 2015 models were priced lower than the 2014 models priced earlier this year. Mr. Ginaitt asked why WSA did not look at a "lease to purchase" option. Director Burke stated on higher priced vehicles, such as our Vactor truck, the "lease to purchase" option will be considered. The Board discussed with staff the use and installation of two-way radios in WSA vehicles. Assistant Superintendent Goodinson mentioned the high cost of acquiring a license for the 800 MHz radio system. Superintendent Doyle stated the City Police Department would provide us with two-way radios in a declared state of emergency.

Mr. Sylven asked about the condition of the 2002 vehicle. Superintendent Doyle stated WSA will keep that vehicle registered for plowing at the facility and pump stations only. He stated the City uses three of the WSA vehicles for plowing during all snow storms.

Mr. Ginaitt moved approval. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

- f. Bid #2014-261 2015 Chevy Silverado 3500HD 4WD Dual Wheel Pick-Up Truck with Fisher 9' Hydraulic Snowplow and Electric Crane  
Hurd Auto Mall: \$66,795.00

ACTION: See discussion listed under item 7.e. Mr. Sylven moved approval. Mr. Ginaitt seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

## **8. Collection System Division**

No items for Board consideration.

## **9. Administrative Items**

- a. Draft Amendments to Enabling Legislation:

Board members Ginaitt and Sylven commented on efforts of the Sewer Review Commission to update the language of the WSA Enabling

Legislation. Mr. Sylven stated Commission members have decided why and when people need to connect to the sewer system. He stated we have to resolve how we assess properties. Director Burke stated the generic language was left that WSA will assess at a rate and method determined by the WSA through regulation, approved by the City Council. Mr. Sylven stated regardless of how you assess, some people will still complain about the inequity. Mr. Ginaitt stated a tiered assessment system has been discussed.

- b.** Resolution of the Warwick Sewer Authority to apply for grants through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP)(FEMA-4107-DR-RI) for hazard mitigation efforts:

- Pump Station Retrofit - East Natick Sewershed
- Knight Street pump station retrofit
- Portable emergency generator to power pumping stations during power outages
- Storm-related equipment for homes serviced by low pressure grinder pumps

ACTION: Mr. Ginaitt moved approval. Messrs. Sylven and Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

- c.** Director's Report

- i. Financial Report /Usage Rate Study
- ii. Administrative Schedule

Director Burke reported that staff is working on a survey to be sent to property owners in the O'Donnell Hill sewer project area. She stated if WSA plans to start new sewer construction in 2015, we must speak with the engineers to get updated estimates on construction costs. She has reached out to Garofalo (O'Donnell Hill) and GRA (GF III).

- d.** Chairman's Report

- i. Update on Sewer Review Commission

No report.

## **10. Consent Agenda - Correspondence**

- a.** WSA to Representative Melo, Senator DaPonte in support of 2014 Bond Referendum (3-4-14)
- b.** WSA to City Council: February 2014 Financial Report (3-5-14)
- c.** WSA to J. H. Lynch & Sons, Inc., substantial completion (3-10-14)



- d. WSA to property owners regarding grant to install back flow prevention device (3-11-14)
- e. RIDEM to WSA: Certificate of Approval for Contract 91 (3-18-14)
- f. WSA to RIDOT: Contract 91, Route 95 ROW easement process (3-21-14)
- g. WSA Director's February 2014 Monthly Report (3-21-14)

ACTION: Mr. Ginaitt moved to accept the consent agenda items. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

## 11. New Business

Introduction of new business to be docketed for an upcoming meeting or to be referred to the executive director or legal counsel for comment.

No new business introduced.

## 12. Old Business

- a. Amendments to By-Laws
- b. Modifications to Septage Hauling Regulations
- c. Bayside I-III Sewer Project: Amendment to GRA contract/design services
- d. Infrastructure Improvement: 48" line under Rte. 95
- e. Sewer Assessment Deferment Policy (6-27-13)
- f. Sewer Assessment Deferment: Plat 332 Lot 483 (11-20-13)
- g. Cedar Swamp pumping station improvements

DISCUSSION/ACTION: No action.

## 13. PUBLIC COMMENT PERIOD No members of the public in attendance.

**Adjournment** Mr. Sylven moved to end the meeting. Mr. Ginaitt seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven and Marino voted in favor of the motion. Motion approved.

At 7:41 p.m. this meeting ended.

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Gary C. Jarvis, WSA Secretary

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Date of Approval

"Minutes are recorded pursuant to the Rhode Island General Laws § 42-46-7 for the purpose of capturing all general information relevant to the meeting. For a more comprehensive assessment of minutes, audio files shall be archived with the Warwick Sewer Authority and available upon request."